



## City of Marietta Meeting Summary

205 Lawrence Street  
Post Office Box 609  
Marietta, Georgia 30061

### CITY COUNCIL SPECIAL MEETING

**William B. Dunaway, Mayor**  
**Annette Paige Lewis, Ward 1**  
**Grif Chalfant, Ward 2**  
**Holly Marie Walquist, Ward 3**  
**Van Pearlberg, Ward 4**  
**Rev. Anthony Coleman, Ward 5**  
**James W. King, Ward 6**  
**Philip M. Goldstein, Ward 7**

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**Wednesday, August 26, 2009**

**5:15 PM**

**4th Floor Conference Room**

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20090670

#### **Z2009-14 Acme American, LLC 2265 Kingston Court**

Z2009-14 [SPECIAL LAND USE PERMIT] ACME AMERICAN, LLC (JOEL DIGBY) request Special Land Use Permit (to operate an extended stay facility) for property located in Land Lots 726 and 787, District 17, a portion of parcel 0010, 2nd Section, Marietta, Cobb County, Georgia and being known as 2265 Kingston Court, Building 200, and being zoned OHR (Office High Rise). Ward 7.

#### ***Approved as Stipulated***

*Motion to approve the Special Land Use Permit for ACME AMERICAN, LLC (JOEL DIGBY) to operate an extended stay facility for property located at 2265 Kingston Court, Building 200, and being zoned OHR (Office High Rise), with the following conditions and stipulations:*

- 1) The building shall be constructed in accordance with the site plan dated June 25, 2009 signed and submitted by the applicant.*
- 2) The applicant shall comply with all City Codes related to an Extended Stay Facility including the definitions and any additional requirements, as stated.*
- 3) The applicant shall agree to the additional following stipulations:*
  - a) Each guest room shall be accessed through an interior hallway and shall not provide egress to the exterior of the building.*
  - b) Staff or management shall be on duty 24 hours a day in a lobby or public gathering area containing a minimum of 1000 square feet.*
  - c) A fitness or recreational center with a minimum of 2000 square feet shall be provided for guests inside the building.*
  - d) At a minimum a single, enclosed meeting or conference space of 500 square feet or greater or business center shall be provided.*
  - e) An enclosed heated and air conditioned laundry space with a minimum of 3 washers and 3 dryers shall be made available exclusively for guest use.*
  - f) An extended stay hotel shall only be used for occupancy by transients and shall not be used as a residence. An occupant of a room, who does not have a place of permanent residence, other than the hotel, shall be deemed to be using the hotel as a place of residence, with the exception to the following:*

*-Occupants using a room because of the loss or damage to their residence by fire or other casualty or because of the remodeling of their residence shall not be deemed to be using the hotel as a residence.*

*-Occupants using a room because they are relocating to the area due to employment transfers or new employment shall not be deemed to be using the hotel as a residence for a period of time necessary to locate and move into a residence in the area of the hotel.*

*-Except as provided above, occupants using a room who report the hotel as a residential address for any purpose including, by way of examples, public school attendance, obtaining a motor vehicle operator's license, the payment of income taxes, or voting purposes, shall be deemed residents of the hotel and are therefore not allowed.*

*The requirements set forth in this item #3 have been signed and dated by the applicant.*

*4) The specifications for finishings for interior rooms, attached and signed by the applicant, shall be incorporated as a condition of approval.*

*5) The exterior elevations attached, consisting of two sheets, signed by the applicant and dated August 26, 2006 shall be incorporated as a condition of approval.*

*6) The following variances are granted as a condition of zoning:*

*a) Variance to reduce the required number of parking spaces for an extended stay facility from 207 spaces to 167 spaces.*

*b) Variance to reduce the required open space for an extended stay hotel from 25% to 15%.*

*7) There shall be a maximum of 122 suites in the hotel, as follows; 12 studio suites containing of a minimum of 300 square feet and 110 one bedroom suites. Further, 102 of the one bedroom suites shall contain a minimum of 450 square feet and 8 of the one bedroom suites shall contain a minimum of 600 square feet.*

*8) The applicant shall provide the following amenities:*

*a) A 2000 square feet fitness center inside the building.*

*b) A fenced outdoor recreational area as shown on site plan and the fence shall be constructed of simulated wrought iron aluminum.*

*c) A courtyard with gazebo as shown on the site plan.*

*9) The applicant agrees to install and complete the offsite improvements shown on the site plan dated June 25, 2009, contingent upon approval by the Georgia Department of Transportation.*

*10) The onsite Landscaping Plan shall be brought back to City Council for review and consideration.*

*11) The project shall be built, remodeled and operated consistent with the above conditions that have been set forth.*

*This Ordinance was adopted, in part, based upon the consent of the applicant to all stipulations and conditions set forth herein.*

20090855

**Wildwood Dog Park - Budget Amendment**

Approval of an Ordinance to appropriate the funding needed to construct a dog park in Wildwood Park as requested by Mayor Dunaway.

*Approved*

20090919      **Temporary Interchange Mowing and Maintenance Agreement**

Motion to approve the Temporary Interchange Mowing and Maintenance Agreement and request for approval of a temporary mowing and maintenance agreement with GDOT allowing the city to maintain right of way at interstate interchanges within the city.

*Approved*

20090889      **Property Acquisition**

Motion authorizing acquisition of right-of-way and easements for the purposes of constructing Roswell Street Improvements at 390 Roswell Street from Corn Enterprises in exchange for \$33,725 and construction of parking lot modifications under the terms and conditions as accepted by the City Attorney and Public Works Director.

*Approved*

20090941      **Partial Property Acquisitions and Easements**

Motion authorizing partial property acquisition and easement of the following properties:

280 S Fairground Street from KTNG, LLC, in exchange for \$3,000 for Right of Way and Temporary Construction Easement for Fairground St. Improvements (N. Marietta Pkwy-S. Marietta Pkwy).

59 Olive Street from Greater Community Church of God in exchange for \$550 for Permanent Landscape Easement and Temporary Construction Easement for Roswell Street Streetscapes.

1148 Franklin Road from Payam Investments in exchange for \$3,000 for Right of Way and Temporary Construction Easement for Franklin Road Improvements (S. Marietta Pkwy-Delk Rd.).

*Approved*

20090888      **Executive Session**

Executive Session to discuss personnel, legal and/or real estate issues.

*Not Held*